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13 Inc. and Toyota Motor Sales, U.S.A., Inc.

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

12 ANNITA EMERSON,

13 Plaintiff,

14 v.

15 TOYOTA MOTOR NORTH AMERICA, INC., a
16 California corporation; TOYOTA MOTOR
17 SALES, U.S.A., INC., a California corporation,

18 Defendants.

Case No. 3:14-cv-02842-JST

**JOINT STIPULATION AND
[PROPOSED] ORDER SETTING
SCHEDULE FOR MOTION TO TRANSFER
AND CONTINUING CASE
MANAGEMENT CONFERENCE**

Action Filed: June 19, 2014

Trial Date: Not set

1 WHEREAS, Defendants Toyota Motor North America, Inc. and Toyota Motor Sales, U.S.A.,
2 Inc. intend to move to transfer this action to the Central District;

3 WHEREAS, due to deadlines in other matters, vacation plans, and holiday-related
4 commitments, counsel for Plaintiff Annita Emerson requested, and Defendants agreed, to a briefing
5 schedule whereby Plaintiff's response to the Motion to Transfer will not be filed until October 7,
6 2014;

7 WHEREAS, pursuant to Civil Local Rules 6-1(b) and 6-2, the parties have agreed, subject to
8 the Court's approval, to the following briefing and hearing schedule on Defendants' Motion to
9 Transfer: (a) Defendants' Motion to Transfer and all supporting papers will be filed by
10 September 12, 2014; (b) Plaintiff's Opposition and all supporting papers will be filed by October 7,
11 2014; (c) Defendants' Reply brief and all supporting papers will be filed by October 28, 2014; and
12 (d) the hearing on Defendants' Motion to Transfer will occur on November 13, 2014, at 2:00 p.m., or
13 the next day available for the Court; and

14 WHEREAS, the parties also stipulate and respectfully request that the Court continue the date
15 of the Case Management Conference from October 8, 2014, to the same date as the hearing on
16 Defendants' Motion to Transfer (November 13, 2014).

17 WHEREAS, the parties respectfully submit that this brief continuance increases efficiency,
18 and also is in the interests of judicial economy as the Court will have the benefit of Defendants' fully-
19 briefed transfer motion before it proceeds to consider case scheduling issues, and the parties note that
20 there have been no previous continuances of the Case Management Conference.

21 THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between counsel, and
22 subject to the approval of this Court, that:

- 23 1. Defendants' Motion to Transfer and all supporting papers will be filed by
24 September 12, 2014; Plaintiff's Opposition and all supporting papers will be filed by
25 October 7, 2014; Defendants' Reply brief and all supporting papers will be filed by
26 October 28, 2014; and the hearing on Defendants' Motion to Transfer will occur on
27 November 13, 2014, at 2:00 p.m., or the next day available for the Court.

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2. The Case Management Conference shall be continued to the same date as the hearing
3 on Defendants' Motion to Transfer (November 13, 2014, or the next available date),
4 and the parties shall submit a joint case management statement no later than October
5 30, 2014.

6 DATED: September 9, 2014

AHDOOT & WOLFSON, PC

7 By _____ */s/ Tina Wolfson*
TINA WOLFSON

8 Attorney for Plaintiff Annita Emerson

9 DATED: September 9, 2014

GIBSON, DUNN & CRUTCHER LLP

10 By: _____ */s/ Christopher Chorba*
CHRISTOPHER CHORBA

11 Attorney for Defendants Toyota Motor North America,
Inc. and Toyota Motor Sales, U.S.A., Inc.

12 **Attorney Attestation**

13 In accordance with N.D. Cal. Local Rule 5-1, the filer of this document hereby attests that the
14 concurrence to the filing of this document has been obtained from the other signatories hereto.

15 DATED: September 9, 2014

GIBSON, DUNN & CRUTCHER LLP

16 By: _____ */s/ Christopher Chorba*
CHRISTOPHER CHORBA

17 Attorney for Defendants Toyota Motor North America,
Inc. and Toyota Motor Sales, U.S.A., Inc.

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2 **PROPOSED ORDER**
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4 Having considered the parties' Stipulation, and good cause appearing, the Court hereby
5 GRANTS the parties' Stipulation. It is HEREBY ORDERED that:

- 6 1. Defendants' Motion to Transfer and all supporting papers will be filed by
7 September 12, 2014; Plaintiff's Opposition and all supporting papers will be filed by
8 October 7, 2014; Defendants' Reply brief and all supporting papers will be filed by
9 October 28, 2014; and the hearing on Defendants' Motion to Transfer will occur on
10 November 13, 2014, at 2:00 p.m., or the next day available for the Court.
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12 2. The Case Management Conference shall be continued to the same date as the hearing
13 on Defendants' Motion to Transfer (November 13, 2014, or the next available date),
14 and the parties shall submit a joint case management statement no later than October
15 30, 2014.

16 DATED: September 10, 2014
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